

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**LENNETT GENSEL,**

Plaintiff,

**-vs-**

**Case No. 13-C-1196**

**PERFORMANT TECHNOLOGIES, Inc.,**

Defendant.

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**DECISION AND ORDER**

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This matter comes before the Court on Performant Technologies, Inc.'s motion to seal the Declarations of David Lubets and Rashid Nasim, in addition to Performant's memorandum in opposition to the plaintiff's motion for partial summary judgment. Performant's motion refers to the protective order entered in this case, but a protective order is not "a virtual carte blanche to either party to seal whatever portions of the record the party want[s] to seal. ... The parties to a lawsuit are not the only people who have a legitimate interest in the record compiled in a legal proceeding." *Citizens First Nat'l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 944 (7th Cir. 1999). Moreover, Performant's request is not narrowly tailored in the sense that it requests whole documents be placed under seal, as opposed to a particular line, page, or paragraph that

contains confidential or proprietary information. Gen. L. R. 79, committee comment (E.D. Wis.)

Therefore, Performant's motion to seal [ECF No. 52] is **DENIED** without prejudice to its renewal within **ten (10) days** of the date of this Order. The Clerk of Court is directed to publicly file these documents if Performant does not timely renew its motion.

Dated at Milwaukee, Wisconsin, this 2nd day of December, 2014.

**SO ORDERED:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**